

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA-NEWPORT NEWS DIVISION**

<b>MALIK JONES</b> <b>Plaintiff,</b>	)	<b>JURY TRIAL DEMANDED</b>
	)	
	)	
<b>v.</b>	)	<b>Case No.</b>
	)	
<b>RECEIVABLES MANAGEMENT</b>	)	
<b>SYSTEMS</b>	)	
<b>Defendant.</b>	)	
	)	

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**COMPLAINT AND DEMAND FOR JURY TRIAL**

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**I. INTRODUCTION**

1. This is an action for actual and statutory damages brought by Plaintiff Malik Jones an individual consumer, against Defendants, Receivables Management Systems (“RMS”) for violations of the Fair Debt Collection Practices Act, 15 U.S.C § 1692 *et seq.* (hereinafter “FDCPA”), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

**II. JURISDICTION AND VENUE**

2. Jurisdiction of this court arises under 15 U.S.C § 1692k(d) 28 U.S.C 1331. Venue in this District is proper in that the Defendants transact business in Newport News, Warwick County, Virginia, and the conduct complained of occurred in Newport News, Warwick County, Virginia.

### III. PARTIES

3. Plaintiff Malik Jones (hereinafter “Mr. Jones”) is a natural person residing in Newport News, Warwick County, Virginia. Mr. Jones is a consumer as defined by the Fair Debt Collection Practices Act, 15 U.S.C. §1692a(3).
4. Upon information and belief, Defendant Receivables Management Systems is a Virginia corporation with its principal place of business located at 7206 Hull St Ste., 211 Richmond, VA 23226.
5. Defendant Receivables Management Systems is engaged in the collection of debt from consumers using the mail and telephone. Defendant regularly attempt to collect consumers’ debts alleged to be due to another’s.

### PRELIMINARY STATEMENT

6. The Fair Debt Collection Practices Act, codified 15 U.S.C. § 1692 et seq. (hereinafter “FDCPA”), which was enacted in 1978. Congress stated its findings and purpose of the FDCPA:
7. **Abusive practices.** There is *abundant evidence* of the use of abusive, deceptive, and unfair debt collection practices by many debt collectors. Abusive debt collection practices contribute to the number of personal bankruptcies, to marital instability, to the loss of jobs, and to invasions of individual privacy.
8. **Inadequacy of laws.** Existing laws and procedures for redressing these injuries are inadequate to protect consumers.
9. **Available non-abusive collection methods.** Means other than misrepresentation

or other abusive debt collection practices are available for the effective collection of debts.

10. **Interstate commerce.** Abusive debt collection practices are carried on to a substantial extent in interstate commerce and through means and instrumentalities of such commerce. Even where abusive debt collection practices are purely intrastate in character, they nevertheless directly affect interstate commerce.
11. **Purposes.** It is the purpose of this title to *eliminate* abusive debt collection practices by debt collectors, to ensure that those debt collectors who refrain from using abusive debt collection practices are not competitively disadvantaged, and to promote consistent State action to protect consumers against debt collection abuses.
12. **15 U.S.C. § 1692e False or Misleading Representations.** A debt collector may not use any false, deceptive, or misleading representation or means in connection with the collection of any debt. Without limiting the general application of the foregoing, the following conduct is a violation of this section: **(8) Communicating or threatening to communicate to any person credit information which is known, or which should be known to be false**, including the failure to communicate that a disputed debt is disputed.
13. The FDCPA, 15 U.S.C. § 1692 doesn't define the word "false" we must look to the ordinary meaning of those terms. See *United States v Santos*, 553 U.S. 507, 511, 128 S.Ct. 2020, 2024 (2008)) ("When a term is undefined, we give it its

ordinary meaning.”); *United States v. Lopez*, 590 F.3d 1238, 1248 (11<sup>th</sup> Cir. 2009) (“To ascertain ordinary meaning, courts often turn to dictionary definitions for guidance.”) WEBSTER The ordinary meaning of “false” is (“**adjective**”) 1. Not according with the truth or fact: incorrect.

#### IV. FACTS OF THE COMPLAINT

14. Defendant Receivables Management Systems (hereinafter referred to as “Debt Collector”) is a “debt collector” as defined by the FDCPA, 15 U.S.C 1692a(6).
15. On or about April 30, 2021 Mr. Jones applied for a mortgage and was denied and reviewed his credit report on “credit karma” and seen the same information.
16. On the mortgage and “credit karma” report, Mr. Jones observed a trade line from all Debt Collector.
17. Debt Collector Receivables Management Systems furnished two trade lines of \$838 allegedly owned to Patient First.
18. On the mortgage report obtained on April 30, 2021 the open date was incomplete on the mortgage report.
19. Plaintiff disputed the false and incomplete reporting with the Debt Collector and received the information behind the false reporting. On the documents provided by Debt Collector on behalf of Patient First the service date/open date was April 14, 2017.
20. On the credit karma report the Debt Collector is reporting the service date/open date is Sept 26, 2017 which is false.



21. In the month of July 2021 Plaintiff had called the Debt Collector and a representative had confirmed that the true service/open date was April 14, 2017, therefore reporting the different dates is false when the Debt Collector knew of the correct open/service dates from its own records.
22. The re-aging and manipulating of the dates artificially lowered Plaintiff FICO scores more than if the trade line were being reported accurately, as well as, making the accounts seem more recently delinquent than they really are to potential creditors, causing Plaintiff damage.
23. Debt Collector's publishing of such inaccurate and incomplete information has severely damaged the personal and credit reputation of Mr. Jones and caused severe humiliation, and emotional distress, FICO Scores and mental anguish.

**V. CLAIM FOR RELIEF**  
**(Defendant Receivables Management Systems)**  
**15 U.S.C. §1692e(8) 15 U.S.C. §1692e(2)**

24. Mr. Jones re-alleges and reincorporates all previous paragraphs as if fully set out herein.
25. The Debt Collector's violated the FDCPA.
26. The Debt Collector's violations include, but are not limited to, the following:  
  
The Debt Collector's violated 15 U.S.C § 1692e(8) and 15 U.S.C § 1692e(2) of the FDCPA by reporting a third party (consumer reporting agencies) false information when it knew from its own records the true open date.
27. As a result of the above violations of the FDCPA, the Defendants are liable to the Mr. Jones actual damages, statutory damages and cost.

**VI. JURY DEMAND AND PRAYER FOR RELIEF**

WHEREFORE, Plaintiff Mr. Jones respectfully demands a jury trial and requests that judgment be entered in favor of Plaintiff and against the Debt Collectors for:

- A. Judgment for the violations occurred for violating the FDCPA;
- B. Actual damages pursuant to 15 U.S.C 1692k(1)(2);
- C. Statutory damages pursuant to 15 U.S.C 1692k(2);
- D. Cost pursuant to 15 U.S.C 1692k(3);
- E. For such other and further relief as the Court may deem just and proper.

Respectfully submitted:

A handwritten signature in black ink, appearing to read 'Malik Jones', is written over a horizontal line.

Malik Jones  
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Leekjon413@gmail.com

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
\_\_\_\_\_ DIVISION

Malik Jones  
Plaintiff(s),

v.

Civil Action Number: \_\_\_\_\_

Receivable Management Systems  
Defendant(s).

**LOCAL RULE 83.1(M) CERTIFICATION**

**I declare under penalty of perjury that:**

No attorney has prepared, or assisted in the preparation of Complaint and Demand for Jury Trial  
(Title of Document)

Malik Jones  
Name of *Pro Se* Party (Print or Type)

Malik Jones  
Signature of *Pro Se* Party

Executed on: 9/17/21 (Date)

OR

The following attorney(s) prepared or assisted me in preparation of \_\_\_\_\_  
(Title of Document)

\_\_\_\_\_  
(Name of Attorney)

\_\_\_\_\_  
(Address of Attorney)

\_\_\_\_\_  
(Telephone Number of Attorney)

Prepared, or assisted in the preparation of, this document

\_\_\_\_\_  
(Name of *Pro Se* Party (Print or Type)

\_\_\_\_\_  
Signature of *Pro Se* Party

Executed on: \_\_\_\_\_ (Date)